

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of the Residential
Building Contractor's License of Lee
Homes, Inc., and
Jerry Carlson, individually

PREHEARING ORDER

A prehearing conference was held by telephone on August 5, 2009. Michael J. Tostengard, Assistant Attorney General, appeared on behalf of the Department of Labor and Industry. Alan T. Tschida, Attorney at Law, appeared on behalf of Lee Homes, Inc., and Jerry Carlson.

The parties agreed at the prehearing conference that additional discovery is not anticipated and the parties are attempting to resolve the matter without a hearing. It was agreed to set the matter for hearing, to be held in the event that the parties are unable to reach a resolution.

IT IS HEREBY ORDERED:

1. This matter is scheduled for hearing on **October 21, 2009**, commencing at **9:30 a.m.**, at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, Minnesota.

2. The parties shall exchange proposed written exhibits and witness lists, and file copies with this office by **October 14, 2009**. See Minn. R. 1400.6950. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.

3. Hearings are ordinarily digitally recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **October 14, 2009**. See Minn. R. 1400.7400, subp. 2.

4. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at www.oah.state.mn.us.

5. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

6. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 7th day of August 2009.

s/Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge